

APR 06 2009

JOHN F. CORCORAN, CLERK  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

KENNETH EDWARD BARBOUR,	)	Civil Action No. 7:09-cv-00083
Plaintiff,	)	
	)	
v.	)	<u>FINAL ORDER</u>
	)	
VIRGINIA DEPT. OF CORRECTIONS,	)	By: Hon. James C. Turk
Defendant.	)	Senior United States District Judge

In accordance with the written memorandum opinion entered this day, it is hereby

**ORDERED**

that the plaintiff's complaint is **DISMISSED** for failing to state a claim upon which relief can be granted, pursuant to 28 U.S.C. § 1915A(b)(1), and the case is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the plaintiff.

ENTER: This 6<sup>th</sup> day of April, 2009.

*[Signature]*  
Senior United States District Judge